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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/036,194	12/28/2001	James Edward Christensen	YOR9-2001-0554 (8728-538)	2835
7590 03/24/2005 F. CHAU & ASSOCIATES, LLP 1900 Hempstead Turnpike, Suite 501 East Meadow, NY 11554			EXAMINER ARTHUR JEANGLAUDE, GERTRUDE	
			ART UNIT 2144	PAPER NUMBER

DATE MAILED: 03/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/036,194

Applicant(s)

CHRISTENSEN ET AL.

Examiner

Gertrude Arthur-Jeanglaude

Art Unit

2144

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 28 December 2001.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-40 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☒ Claim(s) 32-39 is/are allowed.  
6) ☒ Claim(s) 1-21, 23-31 and 40 is/are rejected.  
7) ☒ Claim(s) 22 is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 28 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 3/05/02.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Claim Objections***

Claim 3 is objected to because of the following informalities: the word "an" before network apparently should be - - a - -. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

Claim 1 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1, line 11, the phrase "profile of available" is unclear.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-21, 23-31 are rejected under 35 U.S.C. 102(e) as being anticipated by Engstrom (U.S. Pub 2002/0138286).

As to claims 1, 23 Engstrom discloses a program storage device readable by machine, tangibly embodying a program of instructions executable by the machine and

a method for providing access to an electronic profile of a first client (814) to a second client (815) comprising the steps of: creating a network accessible electronic profile of the first client, wherein the electronic profile is accessible by an active object (800), wherein the active object is bound to the electronic profile (See Fig. 8; abstract; paragraph 0039); defining an access right of the second client, access right determines a portion of the second client via the wherein the electronic profile of available to the active object (see paragraph 0040 where access right is giving to second client to communicate); verifying an identity of the second client; and providing access to the portion electronic profile to the second client via the active object, wherein the active object is transferable (See paragraph 0023).

As to claim 2, Engstrom discloses the step of defining a second access right of a third client (816) as shown in Fig. 8 wherein the access right determines a portion of the electronic profile available to the third client via the active object (800).

As to claim 3, Engstrom discloses the active object (800) as shown in Fig. 8 is an network accessible active object.

As to claims 4-5, Engstrom discloses the electronic profile comprises location information (address; see paragraph 0021) of the first client and wherein electronic profile comprises status information of the first client.

As to claim 6, Engstrom discloses the electronic profile comprises a communication channel (chat channel) of the first client (See paragraph 0040).

As to claim 7, Engstrom discloses the step of defining the access right further comprises the step of defining the access right according to a predefined access right

specifying a portion of the electronic profile accessible to the second client (See paragraph 0022, 0023).

As to claim 8, Engstrom discloses in Fig. 8 the electronic profile is associated with one or more clients (814-816).

As to claim 9, Engstrom discloses the step of limiting the portion of the electronic profile provided by the active object according to a preference of the second client (See paragraph 0018).

As to claim 10, Engstrom discloses the active object enables the second client to contact the first client (See paragraph 0040).

As to claim 11, Engstrom discloses the steps: specifying, in the electronic profile, a communication channel of the first client accessible to the second client; and establishing the communication channel between the first client and the second client upon selecting the communication channel, wherein the active object comprises means for selecting the communication channel (see paragraph 0040).

As to claim 12, Engstrom discloses the electronic profile notifies the first client upon an access of the electronic profile (See paragraph 0018).

As to claims 13, 31 Engstrom discloses at least one of the first client and the second client is a role satisfied by one or more users (See paragraph 0018, 0039).

As to claim 14, Engstrom discloses the step of specifying means for transacting funds (See paragraph 0005, 0024).

As to claim 15, Engstrom discloses the means for transacting funds is specified in the electronic profile (See paragraph 0024)

As to claim 16, Engstrom discloses the step charging a fee for transacting funds between the first client and the second client (See paragraph 0025).

As to claim 17, Engstrom discloses the means for transacting funds dynamically determines one of a source and a destination of funds of the first client according to a property of the transaction (See paragraph 0025).

As to claim 18, Engstrom discloses the step of authenticated the electronic profile (by providing identity; See page 7, claim 27).

As to claim 19, Engstrom discloses the step of authenticating information disclosed by the electronic profile (See paragraph 0005).

As to claims 20-21, Engstrom discloses the step of automatically modifying the access right of the second client according to a variable defined in the electronic Profile; and the access right changes over time as a function of a relationship between the first party and the second party (limit individual access) (See paragraph 0005).

As to claim 24, Engstrom discloses a system enabling a first client to provide access to an electronic profile of the first client to a second client comprising: a database (1006) as shown in Fig. 10 connected to electronic profile (1025A) of a network for storing the first client, wherein the electronic profile is accessible by an active object; a network interface (1010) for accessing the database; an access right handler for verifying an identity of the second client, wherein the electronic profile is associated with the identity of the second client (See paragraph 0023); an awareness handler for responding to information requests from the active object; and a communications handler for communications establishing a channel between the first

client and the second client in response to a request from the active object (See paragraph 0040) .

As to claim 25, Engstrom discloses a chat handler module for establishing a private Internet communications channel See paragraph 0040).

As to claim 26, Engstrom discloses a display; and a renderer for rendering the active object on the display (See Figs. 9, 10).

As to claim 27, Engstrom discloses the active object (800) as shown in Fig. 8 is a web browser (See paragraph 0031, 0038).

As to claim 28, Engstrom discloses the active object is managed according to at least one attribute of the electronic profile (See paragraph 0039-0040).

As to claims 29-30, Engstrom discloses the active object can be rendered in one of an address book, a to-do list, an e-mail active object, and a calendar and the address book comprises at least one sent active object and at least one received active object. (See Fig.9).

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 40 is rejected under 35 U.S.C. 102(b) as being anticipated by Theimer et al. (U.S Pat. 5,493,692).

As to claim 40, Theimer et al. disclose a method of determining a client for a position of employment comprising the steps of: providing a description of the position (92; location) to a staffing agent (78) as shown in Fig.2; determining staffing for the position according an ecard of the client, wherein the client provides access to a

calendar (See Fig.3; col. 8, lines 45-58) to the staffing agent; notifying the client of an acceptance for the position and monitoring the position for changes in staffing (See abstract; Fig. 4, Fig.9).

***Allowable Subject Matter***

Claim 22 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art fails to disclose the steps of: storing a contract template, wherein the contract template comprises a plurality of roles and a plurality of access rights, wherein each role is associated with at least one access right; staffing each role with one of the first client and the second client, wherein the first client and the second client each provide access to corresponding electronic profiles accessible by corresponding active objects; and assigning access rights to the first client and second client according to the contract template and the active objects.

Claims 32-39, are allowable over the prior art of record. The prior art does not disclose a method for opening a communications channel between at least two clients comprises the steps of: specifying, at a database storing an electronic profile, a communication channel accessible to second client, wherein the database is connected to a network; polling the electronic profile for the communication channel accessible to



the second client; providing an indication of a specified communication channel to the second client

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gertrude Arthur-Jeanglaude whose telephone number is (571) 272-6954. The examiner can normally be reached on Monday-Friday from 8:30 a.m. to 6:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Cuchlinski can be reached on (571) 272-3925. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

GAJ



March 18, 2005



GERTRUDE A. JEANGLAUDE  
PRIMARY EXAMINER